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**RECEIVED**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISIONJAN 09 2008 *new*  
JAN 09 2008  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURTDwayne Toliver(Enter above the full name  
of the plaintiff or plaintiffs in  
this action)

'08CV0196

JUDGE CASTILLO

MAG. JUDGE KEYS

vs.

Case

(To be supplied by the Clerk of this Court)

James NoryLaw OfficesRock Fusco, LLCfor Violation of Ethics,Mis Conduct of Abuse of Powerand the Owner of the Firm To be held responsible also(Enter above the full name of ALL  
defendants in this action. Do not  
use "et al.")In this Action for one of there Attorney's  
fundamental Rights Violation  
of my Constitution of the United States of America

## CHECK ONE ONLY:

☒COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983  
U.S. Code (state, county, or municipal defendants)☐ COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE  
28 SECTION 1331 U.S. Code (federal defendants)☐ OTHER (cite statute, if known)**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR  
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

**I. Plaintiff(s):**

- A. Name: Dawayne Tolliver
- B. List all aliases: \_\_\_\_\_
- C. Prisoner identification number: 20070072569
- D. Place of present confinement: Cook County Jail
- E. Address: P.O. Box 089002, Chicago, Ill. 60608

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

**II. Defendant(s):**

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: James Novy  
 Title: Attorney  
 Place of Employment: 321 N. Clark Street Suite 2200 Chicago Ill. 60610
- B. Defendant: Law Offices, Rock Fusco LLC  
 Title: Attorney's  
 Place of Employment: 321 N. Clark Street, Suite 2200, Chicago, Ill. 60610
- C. Defendant: The Owners of The Firm To be Subpoenaed There  
 Title: Attorney's Owners  
 Place of Employment: 321 N. Clark Street, Suite 2200 Chicago, Ill. 60610

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

*All To Be Subpoena The Firm Owner and  
 whom Own the Firm Rock Fusco LLC. Their Names  
 address beside of the Firm addresses*

Revised 9/2007

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III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: Tolliver vs. Cook County Sheriff's Medical Dept, Tolliver vs. Cook County Dept. Administrator
- B. Approximate date of filing lawsuit: 1-5-06/10-3-06/11-27-07/11-29-07  
12-5-07
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: Dawayne Tolliver no aliases
- D. List all defendants: Cook County Sheriff, Cook County Medical Dept, City of Chicago, City of Chicago Chicago Police Dept, Chicago Police Office Jenkins, City of Chicago Superintendent
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): Northern District of Illinois Eastern District
- F. Name of judge to whom case was assigned: Gettleman
- G. Basic claim made: Denied of Medical Treatment, and living conditions of confinement
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): haven't happen yet yes
- I. Approximate date of disposition: It haven't happen yet

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

Name of case and docket number Tolliver vs. Cook County Sheriff Medical Dept, Tolliver vs  
Cook County Dept. Administrator

Approximate date of filing lawsuit, 1-5-06/10-3-06/11-27-07/11-29-07/12-3-07

List all Plaintiffs, If you had co-plaintiffs including any aliases Dawayne Tolliver  
No aliases

List all defendants: Chicago Police Officers Jenkins, City of Chicago, Chicago  
Police Department, Chicago Police Officers, City of Chicago, Superintendent  
Cook County Sheriff Medical Staff, Cook County Administrator, City of  
Chicago,

Name of Judge to whom case was assigned (for different case's Judge's  
Hibbler, BuckLO, John W. Darrah,

United States District Court, Northern District of Illinois 219 S Dearborn  
Street Eastern Division of Illinois District

Basic claim made: Police Brutality, Police Misconduct, Cook County jointly Cook  
County Medical Dept, City of Chicago, Police Officer Jenkins, Chicago Police  
Department, City of Chicago, Chicago Police Department et al,

Disposition of this case [for example] Was the case dismissed one of them?  
Was it appealed? No, Is it still pending? yes

Approximate date of disposition No, it haven't happen yet.

I have gave all the information concerning this complaint form from  
the Federal Court to comply with the court to my knowledge  
and to be ~~informed~~ inform to my lack of information I Inform  
the court with what I can remember and to ask for assist  
if I forgot something please inform me and I do  
my best to straight it out

Dawayne Tolliver

## IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

On the Above date 12-18-2007 I call my ATTORNEY Nury whom was appointed by the court James Nury in a Civil Rights Complaint against the Cook County jail, under my Living Conditions I Darwayne Tolliver had filed 1-5-06 which I found out through a phone call to my lawyer dismissed my claim without my consent or me giving my Authority to him to do so. I have been misled and he hasn't kept me inform has his Client about my claim in court, He made decisions on his own without informing me. That I when through cruel and unusual punishment inflicted on me. And my ATTORNEY dismissed it without my consent his representation is a Violation of my Constitution Rights has ATTORNEY and Client of his Ethics, Conduct, Abuse of Power for misleading me that my claim was still pending and it's not. Which he also inform me he wasn't representing me in that claim so why would he has it dismissed without my consent when I am looking forward from hearing some thing from that claim, but nothing because he finally told me he don't work for me and the Judge told him he can do that on

not sending me paper work on his decisions to dismissed my  
Amend/Claim Being dishonesty, deceit or misrepresentation, Mis cond  
uct, engage in misconduct or Abuse of Power as my  
lawyer and misleading me in my claim living conditions  
my case which was the living conditions I amend  
to my Medical claim and now after two years or  
less he dismissed it without informing or my  
without my consent I am hurting very, very  
much the pain is making suffer from a bad headache  
and he said the Judge told him he can do that with  
letting me know what's going on with my claim I  
filed 1-5-06 and he just dismissed it that hurt  
me real bad and said I don't work for you on the  
Phone 12-18-07 between 3:30 P.M. 4:00 P.M he told  
me this pain<sup>ful</sup> news about my claim about something  
was inflicted on me while I suffer under my  
living conditions of confinement under 8<sup>th</sup>  
Amendment This is Truly a Violation of my  
Constitution Rights as Attorney and Client of  
Misconduct, Abuse of Power, Ethics, misleading  
me as my Attorney of representing me as my  
Attorney I am Truly suffering behind that  
truth that the Lawyer inflicted on me a human  
being not even informing me about the out come  
and not even sending me a copy of him  
dismissing my claim in Federal Court I have  
not seen the paper work because he is hiding  
the fact he did it without my consent or even  
my Authority and that is Misconduct, Abuse of Power  
and Ethics and misleading me as his Client This is stopping

**V. Relief:**

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

To Be Compensate for physical pain that was inflicted on  
me do to the denied of misconduct of Mental Suffering of hurting  
me for him to give me hurt and pain Ten Million Dollars  
for mishearing representation on me as a Client  
also criminal Charges  
He should be Disciplinary Action for This Cause's of pain and hurt

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

**CERTIFICATION**

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Dawayne Tolliver

(Signature of plaintiff or plaintiffs)

Dawayne Tolliver

(Print name)

20070072569

(I.D. Number)

P.O. Box 089002

Chicago, Ill 60608

(Address)